

Amendment No. 1 to SB2356

Gresham  
Signature of Sponsor

**AMEND Senate Bill No. 2356**

**House Bill No. 2079\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-413(d)(3), is amended by deleting the subdivision and by substituting the following language:

(3)

(A) No employer, or employee of the employer to whom this subsection (d) applies, shall come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present until the criminal history records check has been conducted on the person.

(B) No employer, or employee of the employer to whom this subsection (d) applies, shall come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present if the criminal history records check indicates that the employer or employee has ever been convicted of any of the following offenses, or the same or similar offense in any jurisdiction, including convictions for the solicitation of, attempt to commit, conspiracy, or acting as an accessory to:

(i) A sexual offense or a violent sexual offense as defined in § 40-39-202;

(ii) Any offense in title 39, chapter 13;

(iii) §§39-14-301 and 39-14-302;

(iv) §§ 39-14-401 – 39-14-404;

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(v) §§ 39-15-401 and 39-15-402;

(vi) § 39-17-417;

(vii) § 39-17-1320; or

(viii) Any other offense in title 39, chapter 17, part 13.

(C)

(i) If an employee is convicted of any of the offenses in subdivision (d)(3)(B) after the employer has conducted a criminal history records check on the employee, the employee shall notify the employer of the conviction within seven (7) days from the date of conviction.

(ii) An employee commits a Class A misdemeanor, punishable by fine only, who knowingly fails to disclose to the employer within seven (7) days as required under subdivision (d)(3)(C)(i) that the employee has been convicted of an offense specified in subdivision (d)(3)(B).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.